

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

LARRY EDWARD HENDRICKS,)	Civil No. 3:08-44 DCN
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
LEVERN COHEN, Warden)	
)	
Respondent.)	
_____)	

On March 2, 2009, this court issued an Order adopting the Magistrate Judge's Report and Recommendation and granted respondent's motion for summary judgment and denied plaintiff's motion for judgment on the pleadings. On March 2, 2009, the Clerk of Court docketed plaintiff's objections, which were received on February 27, 2009. It appears from a review of the file and plaintiff's objections that said objections were timely, as they were due on February 27, 2009. Now therefore,

IT IS HEREWITH ORDERED that this court's Order filed on March 2, 2009, granting respondent's motion for summary judgment is herewith vacated, and this matter is herewith reinstated for consideration of plaintiff's objections.

AND IT IS SO ORDERED.



DAVID C. NORTON
Chief United States District Judge

March 3, 2009
Charleston, South Carolina